

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

FRANTZ SAMSON, a Washington resident,
individually and on behalf of all others similarly
situated,

Plaintiff,

v.

UNITEDHEALTHCARE SERVICES, INC.,

Defendant.

Case No. 2:19-cv-00175-MJP

**JOINT MOTION AND ORDER TO
EXTEND DEADLINE TO SEND
NOTICE**

NOTED FOR CONSIDERATION:
JULY 29, 2024

WHEREAS, on May 24, 2024, the Court entered an order setting a deadline of August 12, 2024 for Plaintiff to send notice to the classes (Dkt. No. 304);

WHEREAS, between February 16, 2024 and July 16, 2024, Defendant made multiple productions of voluminous call recordings that Defendant contends support its position that the classes should be decertified;

WHEREAS, both parties have been diligently reviewing these call recordings;

WHEREAS, on July 12, 2024, Plaintiff filed a motion to approve the forms of notice to send to class members (Dkt. No. 307);

WHEREAS, on July 13, 2024, Plaintiff provided Defendant with a list of phone numbers that Plaintiff contends are in the two classes based on Plaintiff's review of the evidence;

WHEREAS, on July 22, 2024, Defendant filed a motion to decertify the Classes (Dkt. 311);

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WHEREAS, the parties conferred and agreed to request that the Court modify the case schedule to continue the class notice deadline until after the Court resolves the decertification motion;

WHEREAS, the parties continue to confer about the forms of notice, anticipate reaching an agreement by the time the decertification motion is resolved, and will ask the Court to approve the notice forms, if appropriate, after Defendant's decertification motion is resolved;

WHEREAS, Plaintiff will accordingly be filing a notice of withdrawal of Plaintiff's motion to approve the forms of notice along with this joint motion;

WHEREAS, the class action administrator has indicated it will need twenty days to send notice after an order on Defendant's decertification motion;

WHEREAS, good cause exists to wait until after the decertification motion is resolved to send class notice because the Court's decertification ruling would obviate the need for notice if granted in full and if denied in whole or in part, may affect the scope of the certified classes or the class definitions to be included in the notices.

Accordingly, the parties request that the deadline to send notice be extended to twenty days following the Court's ruling on Defendant's decertification motion.

RESPECTFULLY SUBMITTED AND DATED this 29th day of July, 2024.

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ORDER

IT IS SO ORDERED.

DATED this 31st day of July, 2024.



Marsha J. Pechman
United States Senior District Judge